

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BRENDA CONLEY, et al.,

Plaintiffs,

-vs-

C-1-02-26

UNIVERSITY OF CINCINNATI,

Defendant.

**CLERK'S MEMORANDUM ON COSTS**

This matter is before the Clerk on the Bill of Costs filed by the Defendant, University of Cincinnati, (doc. no. 25), Memorandum In Opposition filed by the Plaintiffs (doc. no. 26) and the Reply Memorandum in Support by Defendant (doc. no. 27).

A thorough review of the record indicates that the depositions of Brenda Conley, Melody DiSylvestro, Nancy Emrath, Mark Folino, Marcia Miladinov and Susan Wilkinson (also noted as Susan Wilkerson in the Bill of Costs) were filed with the Clerk, therefore, the docket fees in the amount of \$15.00 are allowed. However, the following depositions were NOT FILED with the Clerk are hereby disallowed:

Shawn Gregory	\$ 300.00
Heather Herzner	\$ 351.25
Skip Hupman	\$ 309.00
Sharon Luckman	\$ 144.00
Donna Neal	\$ 183.00
Barb Schneider	\$ 114.00
TOTAL DISALLOWED	\$1,401.25

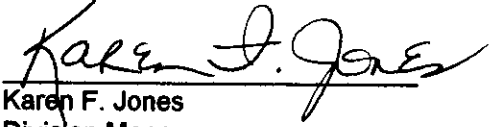
Therefore, the Defendant's Bill of Costs (doc. no. 23) is hereby **GRANTED** in favor of the Defendant, University of Cincinnati, and against the Plaintiffs, Brenda Conley, et al., in the reduced amount of **\$ 5,338.05**.

The five day period for filing a motion to review the Clerk's Taxation of Costs with the Court shall begin upon receipt of this memorandum.

Dated: September 27, 2004

JAMES BONINI, CLERK

BY:

  
Karen F. Jones  
Division Manager

AO 133 (Rev. 9/89) Bill of Costs

## United States District Court

SOUTHERN DISTRICT OF OHIO

BRENDAN CONLEY, ET AL

V.

UNIVERSITY OF CINCINNATI

BILL OF COSTS

Case Number: C-1-02-0026

03 APR 14 PM 4:05

FILED  
KENNETH J. RUDOLPH  
CLERK  
U.S. DISTRICT COURT  
WEST DIV CINCINNATI

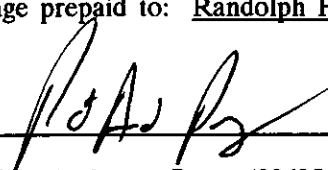
Judgment having been entered in the above entitled action on March 4, 2003 against Plaintiffs  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$0
Fees for service of summons and subpoena .....	0
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	0
Fees and disbursements for printing .....	0
Fees for witnesses (itemize on reverse side) .....	0
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	0
Docket fees under 28 U.S.C. 1923 .....	\$ 15.00
Costs as shown on Mandate of Court of Appeals .....	0
Compensation of court-appointed experts .....	0
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	0
Other costs (please itemize) Costs incident to the taking of depositions .....	<del>\$6,724.30</del> 5,323.05
<b>TOTAL</b>	<del>\$6,739.30</del> <b>5,338.05</b>

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Randolph H. Freking, Esq., 215 East Ninth Street, Fifth Floor, Cincinnati, Ohio 45202.

Signature of Attorney: Name of Attorney: Patricia Anderson Pryor (0069545)For: University of Cincinnati

Name of Claiming Party

Date: 4/17/03

Costs are taxed in the amount of \$5,338.05 and included in the judgment.

JAMES BONINI  
Clerk of Court

By: 

Deputy Clerk

9-27-04  
Date

25

Conley, et al. v. University of Cincinnati  
Case No. C-1-02-0026

ITEMIZATION OF COSTS

**Docket fees under 28 U.S.C. 1923:**

Depositions

Brenda M. Conley	\$	2.50	
Melody DiSylvestro	\$	2.50	
Nancy Emrath	\$	2.50	
Mark Folino	\$	2.50	
Marcia Miladinov	\$	2.50	
Susan Wilkerson	\$	<u>2.50</u>	
Sub-total	\$		15.00

**Costs incident to taking of deposition:**

Brenda Conley	\$1,710.75		
Melody DiSylvestro	\$1,561.80		
Nancy Emrath	\$1,105.50		
Mark Folino	\$ 393.00		
Shawn Gregory	\$ 300.00	DISALLOWED	
Heather Herzner	\$ 351.25	DISALLOWED	
Skip Hupman	\$ 309.00	DISALLOWED	
Sharon Luckman	\$ 144.00	DISALLOWED	
Marcia Miladinov	\$ 450.00		
Donna Neal	\$ 183.00	DISALLOWED	
Barb Schneider	\$ 114.00	DISALLOWED	
Susan Wilkerson	\$ <u>102.00</u>		
Sub-total			
<b>Total Bill of Costs</b>			

~~\$6,724.30~~ 5,323.05  
~~\$6,739.30~~ \$5,338.05

} \$1,401.25